



THE

CASE

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Of the Troopers of the Right Honourable the Lord Galway's Regiment of Horse, all Refuges Against Mr. Moreau the Agent, and their Respective Captains, Humbly Presented to the Knights, Citizens, and Burgeses of the House of Commons in Parliament Assembled.

I. **A**fter the Expedition of Ireland, My Lord Gallway ordered every Captain to state up their respective Trooper's Account, which they did accordingly in the beginning of 1692. and the ballance of each Account was assign'd to be paid at the Clearing of the Regiment, and every one of the Captains set their Hands to their respective Trooper's Accounts.

II. My Lord Galway ordered likewise Mr. Moreau Agent for the said Regiment to answer, and pay the ballance of each Account, as soon as the Regiment should be cleared.

III. The Regiment was cleared in the beginning of 1693, whereupon the Troopers (according to their assignment) directed themselves to the Agent to be paid of their due.

IV. But not only the said Agent deny'd to pay the ballance of the Accounts Sign'd by the Captains, but also those Sign'd by My Lord himself to his own Troopers.

V. The said Agent deny'd also to pay the Widows and Executors of them that were killed in the said Expedition, who had likewise their accounts stated up and sign'd by the Captains or my Lord himself.

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The said Agent shuffled off to pay the said Troopers, their Widows or Executors, chiefly upon these two pretences.

VI. First, that they should have fresh orders from their respective Captains, which he knew very well would not be granted, the Regiment being in *Flanders*, and the Captains prevailing themselves of my Lord *Galway's* absence, who was gone for *Savoy*.

VII. The second pretence was that the Treasury had placed upon the Regiment such extraordinary charges, which were not possible for the Captains to foresee when they stated their accounts. The Troopers desired then the said Agent to shew them, and they would bear their proportion of it, which he denied, for there was none but were mentioned in their accounts as hath been proved afterwards before the Honourable Commissioners of the Publick Accounts.

VIII. The Captains instead of sending new Orders, pray'd and begg'd for almost two years after the clearing, contrived new accounts, which reduced the first to little or nothing, (*viz.*) 27 *l.* to 8 *l.* 30 *l.* to 5 *l.* 20 *l.* to 35 *s.* and what was under they did bring themselves Creditors, and in less than half a year they made so far as three accounts every one less and less, or shortning one another throughout the Regiment.

IX. And it is to be observed, that the said Agent would not pay that intolerable reduction on account, and the distress of several Widows and poor disabled Troopers forced them to accept it so, the said Agent deducting out of it 20 *per cent.* for the selling of the Talieys, tho' he had sold them for 10 *l.* 10 *s. per cent.* (as he hath owned afterwards before the Honourable Commissioners of accounts,) and that great part of the clearing had been received in ready Money.

X. The said Agent who all along sided with the Captains finding that the Troopers were resolved to complain, and having seen their Petition directed to her Late Majesty and to her Privy Council, went over to *Flanders* in *September 1694.* and there advised with the Captains to get an order from the Lieutenant Collonel, commanding him to make up every Captain's account, and to pay them, which supposing to have done in less than six Weeks time, he brought over their respective Acquitrances, whereby he pretends to clear himself.

XI. Whereupon your Honours are humbly pray'd to take notice of these few Observations.

XII. First, that the said Agent would thereby make the Lieutenant Collonel's Order prevail over that of my Lord *Galway's*, who had commanded him to answer every particular account at the clearing.

XIII. Secondly, the said Agent pretends that the Acquittance of a Captain, who have superceded another clears him from answering the ballance of the accounts, which the Predecessor had allowed to his own Troopers in his Life-time: And so far as two Captains are dead or gone out of one Troop, and the said Agent pretends to have paid to the Captain in being all the arrears due to the Troopers in the two former Captain's time, who had stated and signed their Troopers accounts, and that the acquittance of this last clears him.

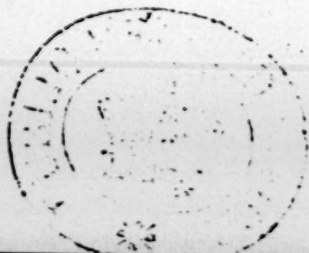
XIV. Thirdly, he pretends that the acquittance of the Captain Lieutenant clears him from answering the accounts stated and sign'd by my Lord himself to the Troopers of his own Troop.

XV. Lastly, it was only a contrivancy to clear himself of the Troopers and Widows left behind, and to bring them to what composition he pleased.

XVI. Complaint at last was brought before the Honourable Commissioners of accounts, by the Troopers Widows and Executors of every respective Troop, and the said Agent being sent for, he produced his acquittances in discharge of himself, but at the same time he pleaded very much in the behalf of the Captains, concerning the alteration of the said accounts, under the said pretence of the extraordinary Charges placed by the Treasury upon the Regiment.

XVII. The said Agent attempted maliciously to take the knowledge of the Case from the Honourable Commissioners, under pretence, that one Mr. de Lestang Brigadier General, who was in *Flanders*, was appointed by my Lord *Galway* to decide and regulate all matters concerning the Regiment, and if the Troopers would go over he would allow them 10 d. a day for their Voyage, but would not advance the Money as was proposed to him by the Commissioners: and the said Agent knew very well that most of the Troopers with the Regiment in *Flanders* had directed themselves to the said Brigadier for redress, and had no relief, and that the said Troopers out of fear and threatening had been forced to set their Hands to what the Captains would, as appears by their several Letters written to their Friends in *England*, and produced before the Honourable Commissioners of accounts.

XVIII. Nevertheless the said Agent still pursuing his design to take away the hearing of the Case from the Honourable Commissioners, he produced two Letters one after another; the first from the said Brigadier out of *Flanders*, and the other from my Lord *Galway* out of *Savoy*, the stile whereof was plainly seen to be the Agents, the words being the same he pleaded before the Board, and both concluding to send the Troopers here in *England* over into *Flanders*.



XIX. But the Honourable Commissioners well apprehending the said Agent's malice and stratagem, to send over poor disabled Troopers to the Mercy of their Captains, who had likewise wrong'd the Troopers in the Regiment, resolved to take no notice of the said Letters, and to examine into the said Complaints.

XX. In the mean time they ordered the said Agent to pay to the Complainants all what he knew to be justly due to them on account only.

XXI. And tho' the said Agent had owned before the Commissioners, that the Tallies were sold but for 10 *l.* 10 *s.* *per cent.* and that the Troopers were wrong'd in several Articles, yet he did not pay them, but the ballance of the least account, and deducted out of it 20 *l.* *per cent.* for the selling of the Tallies.

XXII. The Honourable Commissioners proceeding into the Examination of the said accounts, did observe, that all the Complaints were alike, and that all the Captains had agreed to reduce the first accounts to little or nothing.

XXIII. Therefore they resolved that a particular account should be taken in, and thoroughly examined, some time by comparing the last account with the first, some time by making objections and bringing proofs to every Article, which was performed as follows in the presence of the said Agent.

XXIV. The account to be examined fell to be of Major *de Tugny's* Troop, who together with the said Agent have been the two Ring-leaders of all the said unjust Proceedings.

XXV. The Trooper whose account fell to be examined, proved by his discharge under the Major's hand, that he was in the Regiment until the 9th. of *May* 1692. and the said Major state his accounts only to the last day of *Nov.* 1691. therefore he is wrong'd of 121 days at 2 *s.* 6 *d.* a day 15 *l.* on that Article.

XXVI. It was proved by the Agent's account under his Hand for the whole Troop, that there was but 28 *l.* subsistence paid out of the Treasury, from the 1st. of *Sept.* 1689. to the 1st. of *April* 1692. and they Tax most of the Troopers with 35 *l.* receiv'd, the said account was produced and owned by the said Agent, so are wrong'd of 7 *l.* on that Article.

XXVII. The said accounts dates and mentions every respite, and and shews that there was in all the said while but 11 Men on foot the longest 33 days, and but 17 *l.* for all, respited, and the said Major Taxes upon several 11 *l.* upon others 8 *l.* and 7 *l.* so that the Trooper,
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whose account happen'd to be examined, proved to be wrong'd of 9 *l.* 14 *s.* upon that Article.

XXVIII. The said account between the Agent and the Major for the whole Troop as aforesaid, shews, that there was but 35 recrute Horse bought for that Troop, and so for every Troop having all alike, and the said Major taxes in his first accounts under his Hand (three several being produced) 39 recrute Horses, and two years after 56 Horses, tho' he never had but eleven Men on foot in all the said Expedition of *Ireland*, as appears by the said Musters, and His Majesty return'd six Horses freely killed in the Battel, so wrong'd of 4 *l.* 11 *s.* on that Article, allowing 39 recrute Horses.

XXIX. The said account proves, that it is not 3 *s.* a Man for packing and transporting the Cloathing and Equipages in *Ireland*, and the Major sets down 28 *s.* some Captains 8 *s.* so are wrong'd upon the said Article of above 25 *s.*

XXX. The said account proves, that they are wrong'd of near upon 3 *l.* upon the Clothing for 89. 90. and 91. 3 *l.*

XXXI. They divide the Provisions, Ammunitions, &c. between 46 Men, when it should be between 82. having Twelve Reform'd Officers in each Troop, who had at the least Twelve Servants, besides the four Officers in pay, and their eight Servants, so are wrong'd of almost half upon that Article, which is 3 *l.*

XXXII. They tax for Provisions, Ammunition, Tents, Boyling-pots, Sizes, Sickles, &c. from the first of *Sept.* 1689. tho' the same was paid out of their subsistence, the first Campaign the Captains having made up their subsistence account to the 22th of *Nov.* 1689. and reckoned all that in, so are wrong'd of 1 *l.*

XXXIII. The Captains did retain at the same time 35 *s.* a Man, out of their Subsistence, for the Horse dead the first Campaign, the same was proved by the Major's Letter to a Friend of his, and they charg'd them for the full Number, so are wrong'd of 1 *l.* 15 *s.* on that Article.

XXXIV. They Charge the Troopers with 27 *s.* others 30 *s.* for Reform'd Officers debts, under pretence to return the same, which is not done yet, tho' it is four Years since, so are wrong'd of 1 *l.* 10 *s.*

XXXV. They tax the Troopers for Agency for the whole, tho' the Agent has owned before the Commissioners that he had received it in *Ireland* out of their Subsistence for about a twelve Month, so are wrong'd of 11 *s.*

XXXVI. They tax the Troopers with 20 *per Cent.* some Captains 30 *per Cent.* for the selling of Talleys, and the Agent has owned the



they were sold for 10 l. 10 s. *per Cent.* besides there was a great deal in ready Money, so are wrong'd of about 3 l. out of 30 l.

XXXVII. Major *de Tugny* being over last Winter, was heard before the Honourable Commissioners of the publick accounts, and was Convinced of most Articles here above mentioned; whereupon the Honourable Commissioners ordered him to satisfy forthwith his Troopers, and not to let the Case be brought before the House, for what he should do in his Troop would be a Rule for the rest: But the Major who was clear of another mind, desired fourteen days to Clear himself of an Article, and in the mean time he would give Bail, but it is not known that he did either.

XXXVIII. The Complainants Petition being Read last Year before this Honourable House, was referr'd to the Committee appointed for *Nathanael Hill* and others, but the short time that the Parliament had to sit did not permit to examine into it.

XXXIX. Whereof the Major taking advantage went back again for *Flanders*, without making any satisfaction to his Troopers, but rather continuing his malice and vexations, he caused several of the poor disabled Troopers to be crossed out of the List of Ten pence a day, which the Troopers in actual Service do allow out of their subsistence, and have allowed the same ever since Five years, and the said Troopers disabled were not at His Majesty's charges but lately, tho' their two Shillings answer but 20 d. $\frac{1}{2}$ penny in *Flanders*.

XL. The said Major left orders with a Lawyer, to take a Writ against *Peter Chabert*, whose account fell to be examined for a supposed Debt of 50 l. but the said *Chabert* having happily discovered it before the Writ was served, he made his appearance, and hath waited ever since for his Declaration, but durst not put it forth.

XLI. It was proved before the Commissioners of Accounts, that the Major instead of paying 17 s. 6 d. to each man of his own Troop, which he had received for them, called them together in a Room at *Manchester* in 1692. and having shut the Door forced them to set their Hands to Notes, ready prepared for every one of them, whereby the said Major did bring himself their Creditor, to some of 3 l. 10 s. others 4 l. and so far as 5 l. and did not pay them the said 17 s. 6 d. Subsistence.

XLII. It was proved that the said Major intercepted Letters from hence to *Flanders*, and made false Answers, and false Certificates, as if the Troopers, with the Regiment, were fully satisfy'd, and caused some to be turn'd out after Six years Service.

XLIII.

XLIII. The Captains finding that the Troopers were Creditors upon the first reckoning of 89. 90. and 91. they contriv'd to buy out of it, the Cloathing and Equipages for 92. and 93. under pretence (as the Agent has alledged it before the Commissioners of Accounts) to have it cheaper in paying ready Money, and that the Troopers should have their 6 d. a day of-reckoning clear, for the two said Years, 92. and 93. And now the same is Received, and in the Agent's Hand, and he denies to pay it, which amounts to near upon 19 l. a Man.

XLIV. Several Troopers being come over with their Accounts Stated and Sign'd by their Captains for the said of-reckoning; they were presented to the Agent, who shuffl'd off the Troopers under pretence, that there was no positive Orders directed to him to pay it, owning that he had it, and when the Troopers did Write in *Flanders* for the said Orders, the Captains would not answer their Letters.

XLV. Complaint of the same being brought before the Honourable Commissioners of accounts, the said Agent hath answered, that if their Honours would order him to pay it he would, knowing very well that the Commissioners have not the power to command the money upon such account.

XLVI. And your Petitioners being not able to contend with such adversaries, they therefore most humbly pray, that this Honourable House will Order the said Commissioners to make their Report with Relation to the said matter, or otherwise to ordain with respect to your petition in this matter, as to your great Wisdom, and Justice shall think fit.



Your Petitioners,

And they shall ever pray, &c.

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